



Atty. Dkt. No. 016912-0203

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masaki KOBAYASHI et al.  
Title: COATED CEMENTED CARBIDE  
EXCELLENT IN PEEL  
STRENGTH AND PROCESS FOR  
PRODUCING THE SAME  
Appl. No.: 10/022,582  
Filing Date: 12/20/2001  
Examiner: B. Chen  
Art Unit: 1762

**RECEIVED**

**OCT 20 2003**

**TC 1700**

**TERMINAL DISCLAIMER**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, TOSHIBA TUNGALOY CO., LTD., having its principal place of business at Solid Square 580, Horikawa-cho, Saiwai-ku, Kawasaki-shi, Kanagawa, Japan, (hereinafter represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/022,582, filed 12/20/2001, which is a divisional of U.S. Patent Application No. 09/621,556, filed 07/21/2000, by virtue of an Assignment filed and recorded on July 21, 2000, Reel 010960/Frame 0787, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 6,589,602, which issued on U.S. Patent Application No. 09/835,589, filed April 17, 2001, by virtue of an Assignment filed and recorded on April 17, 2001, on Reel 011725/Frame 0533, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, TOSHIBA TUNGALOY CO., LTD., hereby disclaims the terminal part of the term of any patent granted on the above identified patent application

10/17/2003 MAHME1 00000083 10022582

01 FC:1814

110.00 OP

which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,589,602, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,589,602 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,589,602 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,589,602 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,589,602 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,589,602, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,589,602 rests with Petitioner, TOSHIBA TUNGALOY CO., LTD.. The undersigned declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date 01/14/03

By 

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5414

Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479



Atty. Dkt. No 016912-0203

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**  
**OCT 20 2003**  
**TC 1700**

Applicant: Masaki KOBAYASHI et al.

Title: COATED CEMENTED CARBIDE  
EXCELLENT IN PEEL  
STRENGTH AND PROCESS FOR  
PRODUCING THE SAME

Appl. No.: 10/022,582

Filing Date: 12/20/2001

Examiner: B. Chen

Art Unit: 1762

**TERMINAL DISCLAIMER TRANSMITTAL**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.

[ ] Small Entity statement is enclosed.

[ ]	Extension for response filed within the first month:	\$110.00	\$0.00
[ ]	Extension for response filed within the second month:	\$410.00	\$0.00
[ ]	Extension for response filed within the third month:	\$930.00	\$0.00
[ ]	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
[ ]	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
[ X ]	Terminal Disclaimer:		\$110.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$0.00
[ X ]	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$110.00

- [ ] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- [ X ] A check in the amount of \$110.00 is enclosed.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10/14/03

By 

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 672-5414

Facsimile: (202) 672-5399

Richard L. Schwaab

Attorney for Applicant

Registration No. 25,479